

DISTRICT COURT OF THE COUNTY OF SUFFOLK, FIRST DISTRICT

P R E S E N T:

HON. STEPHEN L. UKEILEY

District Court Judge

-----X
SLOMIN'S INC.,

Petitioner,

-against-

TONY SCHALLER,

Respondent.
-----X

Motion Date: August 5, 2025

Seq. 001

PETITIONER'S ATTORNEY:

Kirschenbaum & Kirschenbaum
200 Garden City Plaza
Suite 315
Garden City, New York 11530

RESPONDENT PRO SE:

Tony Schaller
1734 Spur Drive
Islip, New York 11751

Upon the following papers numbered 1 to 3 read on this application to confirm an arbitration award; Notice of petition and petition 1, 2; Filed papers ____; Other Exhibits 3 (and after hearing counsel in support of and opposed to the application) it is,

ORDERED that the application to confirm the arbitration award in petitioner's favor is granted pursuant to CPLR §7510 and §7514.

The written alarm services agreement between the parties contained a provision mandating any claim between them to be submitted to arbitration administered by Arbitration Services Inc (ASI). The petitioner properly demanded arbitration and properly served respondent. Upon default, the arbitrator issued an award in favor of petitioner in the sum of \$2,072.73. A copy of the award was mailed to respondent and respondent did not pay the award. Petitioner commenced this action to confirm the arbitrator's award so that a judgment could be entered on it. Petitioner also seeks counsel fees in the sum of \$1800.00. Petitioner is entitled to legal fees for this special proceeding and to enforce the judgment under the parties' agreement and the Court finds the amount sought to be fair and reasonable under the circumstances.

The District Court has authority to hear actions to confirm arbitration awards (UDCA 206[b]). An arbitrator's award may be confirmed and a judgment entered thereon if the application to confirm is made within a year of the award (*see FLA Card Svcs N.A. v Dilozenzo*, 22 Misc 3d 127[A] 881 NYS2d 363 [District Ct. Nassau County 2009]). The arbitrator herein had authority to hear the matter, this application is timely, and the application to confirm the award and for attorney

fees is granted.

Submit judgment.

Dated: Ronkonkoma, New York
August 5, 2025



HON. STEPHEN L. UKEILEY, J.D.C.

Entered
8-8-25
Mailed
8-11-25